

Applicant : Joseph A. Zupanick
Serial No. : 10/788,694
Filed : February 27, 2004
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Attorney's Docket No.: 17601-045001 / 067083.0288

REMARKS

Claims 1-27 are pending and rejected. The specification is objected to. Applicant amends the specification and claims 1-7, 12-17, 22, and 23-26 and cancels claims 8 and 19. Applicant respectfully requests reconsideration and favorable action in light of the amendments and remarks herein.

Amendments to the Claims

In general the claims have been amended to remove repeated recitations of plural elements, for example repeated use of "one or more" and similar language. These amendments are intended not to limit the claims or disclaim subject matter, but to grammatically clarify the claims. For example, claim 1 recites "forming an articulated well." However, because the preamble uses the transitional word "comprising" the claims would not exclude a method where multiple articulated wells are formed.

Specification Objection

The specification is amended to address the noted informalities. Accordingly, Applicant requests that this objection be withdrawn.

Claim Rejections – 35 U.S.C. § 102

PCT Publication No. WO 02/059455

Claims 1, 2, 4-13 and 15-27 are rejected under 35 U.S.C. § 102(b) as being anticipated by PCT Publication No. WO 02/059455 ("WIPO '455") to Zupanick et al. in view of the U.S. Patent Application Pub. No. US 2002/0189801 ("US '801"). To anticipate a claim, the reference must teach every element of the claim (MPEP §2131). US '801 is not cited specifically cited in the Examiner's explanation of the rejection and, consequently, is not addressed herein.

Claim 1 recites "forming a drainage pattern through the articulated well, the drainage pattern coupled to the junction and operable to conduct fluid from the subterranean zone to the

junction.” Claims 22 and 23 recite similar features. WIPO ‘455 does not disclose methods including these features.

Applicant submits that, therefore, WIPO ‘455 does not anticipate claims 1, 22, and 23. Claims 2, 4-11, and 24-27 depend directly or indirectly from one of claims 1, 22, or 23 and are not anticipated for at least the same reasons.

Claim 12 recites “an inlet of a downhole pumping unit residing in the junction.” WIPO ‘455 does not disclose systems including these features.

Applicant submits that, therefore, WIPO ‘455 does not anticipate claim 12. Claims 13 and 15-21 depend directly or indirectly from claim 12 and are not anticipated for at least the same reasons.

Accordingly, Applicant respectfully requests that the rejections of claims 1, 2, 4-13 and 15-27 as being anticipated by WIPO ‘455 be withdrawn.

US Patent Application Pub. No. 2004/0226719

Claims 1, 11, 12, 23 and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Pub. No. 2004/0226719 (“Morgan”). Claim 1 recites “forming a drainage pattern through the articulated well.” Claims 12 and 23 recite similar features. Morgan does not disclose methods or systems with these features.

Applicant submits that, therefore, Morgan does not anticipate claims 1, 12, and 23. Claims 11 and 27 depend directly or indirectly from one of claims 1, 12, or 23 and are not anticipated for at least the same reasons. Accordingly, Applicant respectfully requests that the rejections of claims 1, 11, 12, 23 and 27 as being anticipated by Morgan be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claims 3 and 14 are rejected under 35 U.S.C. § 103(a) as obvious over WIPO ‘455 or Morgan in view of Ohmer (apparently U.S. Patent No. 6,170,571). Ohmer does not remedy the discrepancies of WIPO ‘455 / Morgan as discussed above with respect to claims 1 and 12 from which claims 3 and 14 depend.

Applicant submits that, therefore, claims 3 and 14 are not obvious over the cited references alone or in combination. Accordingly, Applicant respectfully requests that the rejections of claims 3 and 14 as obvious over WIPO '455 or Morgan in view of Ohmer be withdrawn.

Claims 2, 4-7, 9, 10, 13, 15-18, 20-22 and 24-26 are rejected under 35 U.S.C. § 103(a) as being obvious over Morgan in view of WIPO '455. Claim 1 recites "forming a drainage pattern through the articulated well." Claims 22 and 23 recite similar features. Neither Morgan nor WIPO '455 disclose methods including these features.

Claim 12 recites an inlet of a downhole pumping unit located at a junction between drainage and articulated wells extending from an entry well to the subterranean zone. Neither Morgan nor WIPO '455 nor disclose systems including these features.

Applicant submits that, therefore, claims 1, 12, 22, and 23 are not obvious over Morgan in view of WIPO '455. Claims 2-7, 9-11, 13-18, 19-21, and 24-27 depend directly or indirectly from one of claims 1, 12, or 23 and are not obvious for at least the same reasons. Accordingly, Applicant respectfully requests that the rejections of claims 2, 4-7, 9, 10, 13, 15-18, 20-22 and 24-26 as being obvious over Morgan in view of WIPO '455 be withdrawn.

CONCLUSION

For the foregoing reasons, and for other reasons clearly apparent, Applicant respectfully submits that the Application is in condition for allowance.

If the present application is not allowed and/or if one or more of the rejections is maintained, Applicant hereby requests a telephone conference with the Examiner and further requests that the Examiner contact the undersigned attorney to schedule the telephone conference.

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Enclosed is a \$120 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050, referencing the attorney docket number shown above.

Respectfully submitted,

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